IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE S.SIRI JAGAN

TUESDAY, THE 4TH SEPTEMBER 2007 / 13TH BHADRA 1929

WP(C).No. 26210 of 2007(T)

PETITIONER:

K.V.BHUVANESWARI, W/O.RAMANKUTTY,
AGED 45 YEARS, RESIDING AT SREE DURGA,
KANNIAMPURAM (P.O), OTTAPALAM, PALAKKAD
DISTRICT.

BY ADV. SRI.NIDHI BALACHANDRAN

RESPONDENTS:

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1. STATE OF KERALA, REPRESENTED BY THE
SECRETARY TO GOVERNMENT, GENERAL EDUCATION
DEPARTMENT, GOVERNMENT SECRETARIAT,
THIRUVANANTHAPURAM.

2. THE DIRECTOR OF PUBLIC INSTRUCTION,
THIRUVANANTHAPURAM.

3. THE DEPUTY DIRECTOR OF EDUCATION,
PALAKKAD.

4. THE HEADMASTER, GHS OF DEAF, OTTAPALAM.

R1 TO R3 BY GOVT. PLEADER SRI.A.J.VARGHESE.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 04/09/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

S. SIRI JAGAN, J.

WP(C) NO. 26210 OF 2007 - T

Dated this the 4th day of September, 2007

J U D G M E N T

The petitioner is an Assistant Teacher who has been working for ten years in the fourth respondent's school. For getting higher scale of pay as regular staff of the school, the rules require that the petitioner should obtain Special Training Certificate or Diploma in teaching of either blind or deaf. The petitioner submits that by virtue of Ext.P2 Government Order, the petitioner is eligible for exemption from the requirement of obtaining that qualification since the petitioner has crossed 40 years of age and has ten years of experience in teaching the deaf and dumb or the blind which are the conditions prescribed for becoming eligible for such exemption. The petitioner therefore seeks a direction to the respondents to grant the petitioner permanent exemption from acquiring the said special qualification and to grant the petitioner higher scale of pay with effect from June 2000. However, for the present, the petitioner would be satisfied with a direction

to the second respondent to consider Ext.P8 representation submitted by the petitioner in this regard.

2. I have heard the learned Government Pleader also.

3. In the facts and circumstances of the case, there would be a direction to the second respondent to consider Ext.P8 and pass appropriate orders thereon, in accordance with law, as expeditiously as possible, at any rate within two months from the date of receipt of a copy of this judgment.

The writ petition is disposed of as above.

S. SIRI JAGAN,
Judge

Mbs/

S.SIRI JAGAN, J

W.P.(C) NO. OF 2001

J U D G M E N T

DATED:01-06-2007